

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK**

LEO MAY,

Plaintiff

v.

VIRTUOSO SOURCING GROUP, INC.,

Defendant

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Case No.: 1:14-cv-00226

MOTION FOR DEFAULT JUDGMENT

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Plaintiff, Leo May, moves this Court for order of Default Judgment against Defendant Virtuoso Sourcing Group, Inc., as provided by Rule 55(b)(2) of the Federal Rules of Civil Procedure. Additionally, Plaintiff requests statutory damages, pursuant to 15 U.S.C. §1692k, together with costs of suit and attorneys fees, as well as any additional relief this court deems necessary and proper. In support thereof, Plaintiff states as follows:

1. This Court entered the default of Defendant on July 18, 2014. *See* Docket Entry 5.
2. The complaint in this action sets out a valid claim for statutory damages under 15 U.S.C. §1692k. By virtue of the entry of default Defendant may not challenge any of the factual allegations supporting those claims.
3. Defendant is neither a minor nor an incompetent person.
4. Defendant is not currently serving in the military as defined in the Solder's and Sailor's Civil Relief Act of 1940 (50 U.S.C. §520).

1 For the reasons set forth in the accompanying memorandum of law, Plaintiff respectfully
2 requests that judgment be entered in her favor for \$1,000.00, in addition to \$1,778.00, for
3 attorneys' fees and costs incurred in this matter.
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5 RESPECTFULLY SUBMITTED,
6

7 /s/ Craig Thor Kimmel

8 Craig Thor Kimmel

9 Kimmel & Silverman, P.C.

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10 Dated: 10/17/14
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